



# Kern County District Attorney's Office

Unlawful Dumping Workshop  
Ridgecrest, California  
March 23, 2005

# Unfair Business Practices

- California Business and Professions Code section 17200
  - Predicate Offense
  - \$2,500.00 per violation
  - Injunctive Relief
  - Cost Recovery
  - Restitution

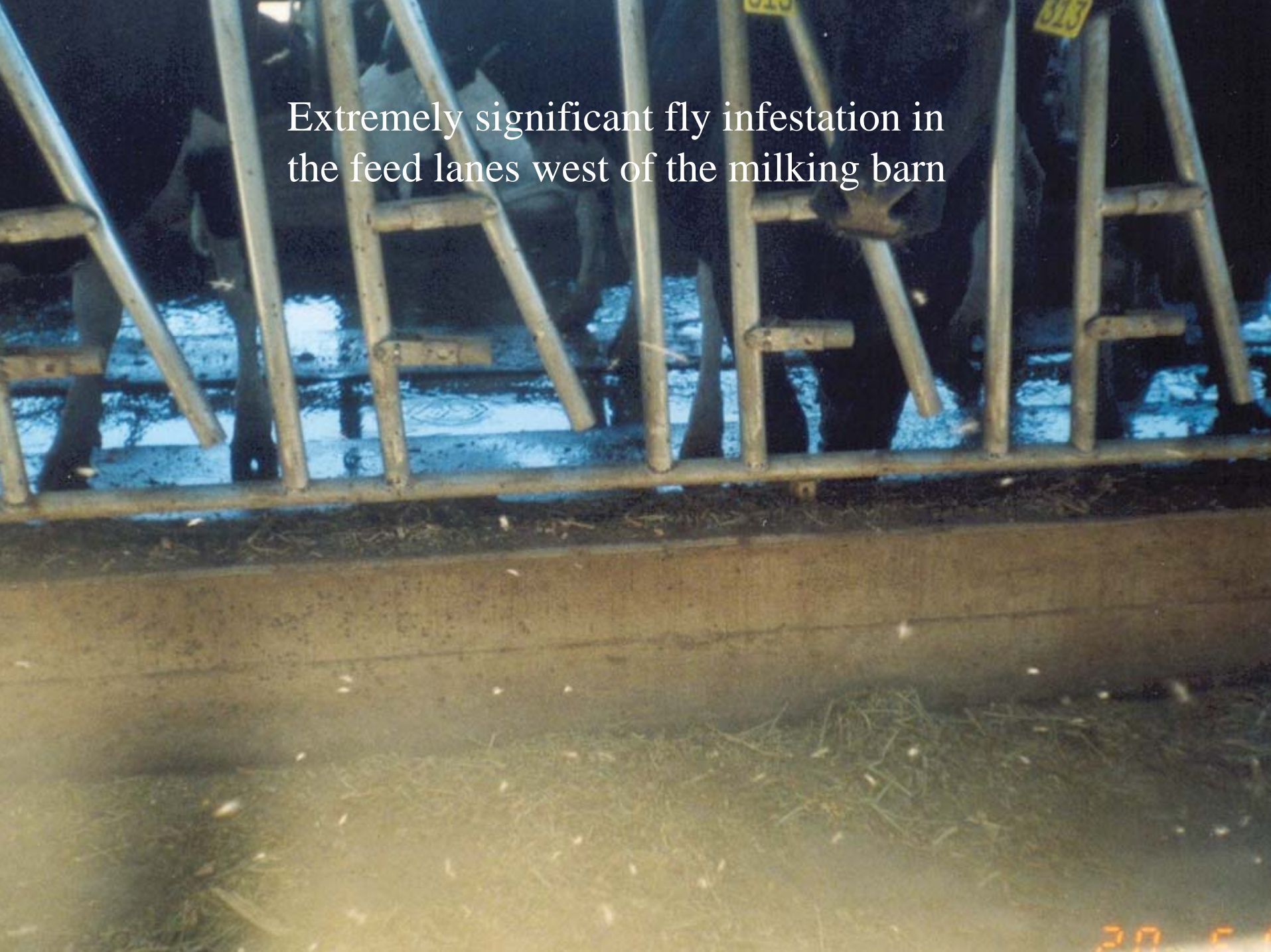


- Kern County Environmental Health Department
- Goyenetché Dairy
- Inspection June 2001
- Dead cow and calves

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Extremely significant fly infestation in  
the feed lanes west of the milking barn



# Goyenetche Dairy Settlement

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- Penalties
- Permanent Injunction
- Sufficient Nutrient Management Plan
- Restitution to the Preserve
  - \$2,400.00 - \$3,200.00
- Water District Costs
  - \$8,000.00
- Restitution to the Kern Mosquito Abatement and Vector District
- West Nile Virus Program
  - \$25,000.00









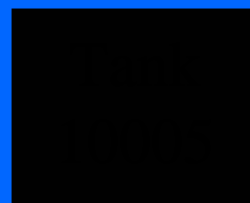
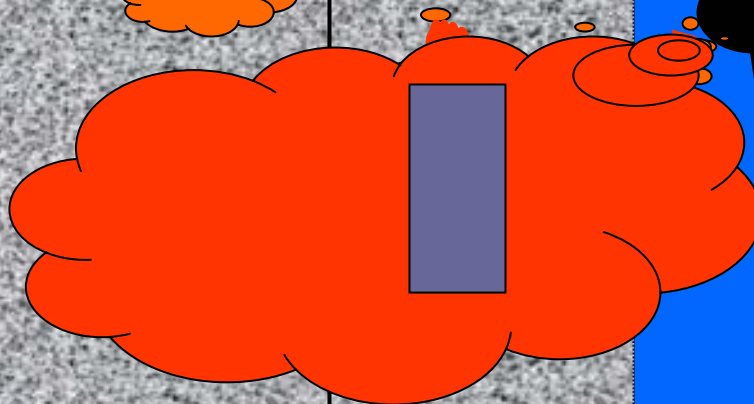
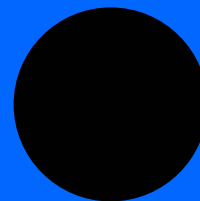
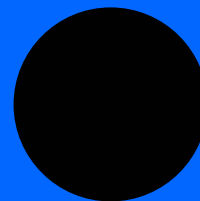
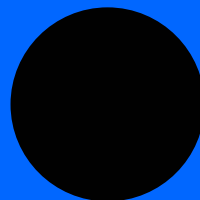




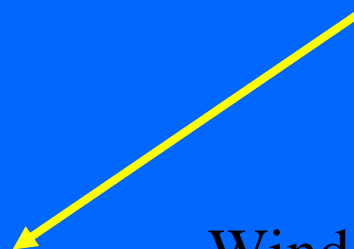
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North Tank Farm



March 30, 1995



Wind Direction







T4B

BAD











Al Golub/The Bee



# People vs Koch Oil

- Kern County Case #238947-NFT
- Coles Levee  
Gas Compressor Facility
- Air Emissions Violations
- \$500,000.00 Penalties

# Emultech Settlement

- Emultech
  - \$650,000.00 – penalties
  - Costs - \$25,000.00
  - Permanent Injunction
- Quality Carriers and Curry
  - \$500,000.00 – penalties
  - Costs - \$25,000.00
  - Permanent Injunction

# People v. World Oil

- Kern County Case #230486-AEW
- Sunland Refinery
- Air Violations With Injury
- \$5.5 Million Penalties



# **Unfair Business Liability Factors**

## **Business and Professions Code section 17206(b)**

Court is required to consider:

- (1) Nature and seriousness of the misconduct,
- (2) Number of violations,
- (3) Persistence of the misconduct,
- (4) Length of the time over which the misconduct occurred,
- (5) Willfulness of defendant's misconduct, and
- (6) Defendant's assets, liabilities, and net worth.